

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Matter of the Application of:

Kun Ping Lu *et al.*

Serial No.: 09/726,464

Filed: November 29, 2000

For: PIN1 AS A MARKER FOR ABNORMAL CELL GROWTH

Attorney Docket No: BIZ-045CP

Group Art Unit: 1642

Examiner: Yaen, Christopher

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Commissioner for Patents
Washington, D.C. 20231

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By:

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RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the restriction requirement set forth in the Office Action dated January 15, 2002 (Paper No.7).

RESTRICTION REQUIREMENT

The Examiner has required restriction to one of the Group I-Group VII inventions under 35 U.S.C. §121.

Applicants hereby elect the Group I invention (claims 1-26 drawn to methods of detecting abnormal cell growth utilizing Pin1 as a marker) for prosecution in this application, *with traverse*.

Applicants traverse the restriction between the inventions of Groups I-II (claims 1-26 and 27-37, respectively). Applicants respectfully submit that the inventions of Groups I-II are directed to methods of detecting and staging abnormal cell growth.

Applicants respectfully submit that a sufficient search and examination with respect to the inventions of Groups I-II can be made without serious burden on the Examiner. As the M.P.E.P. states:

[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

M.P.E.P. § 803.

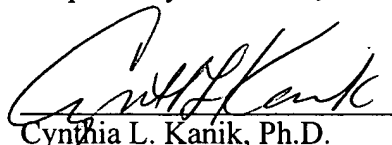
The inventions of Groups I-II have both been classified in Class 435, subclass 4. As such, the searches with regard to these inventions would be co-extensive and would not involve a serious burden on the Examiner. Applicants, therefore, request that the Examiner examine Groups I-II.

Applicants reserve the right to traverse the restriction between the non-elected groups in this or a separate application.

SUMMARY

If a telephone conversation with Applicants' attorney would expedite the prosecution of the above-identified application, the Examiner is urged to call Applicants' attorney at (617) 227-7400.

Respectfully submitted,



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